



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the **PATENT APPLICATION** of:

Jacob et al.

Application No.: 10/756,093

Confirmation No.: 2928

Filed: January 13, 2004

For: FLUIDIZED BED APPARATUS FOR
BATCH-BY-BATCH OR CONTINUOUS
PROCESS CONTROL AND METHOD FOR
OPERATING A FLUIDIZED BED
APPARATUS

Group: 1734

Examiner: Not Yet Known

Our File: SMB-PT089
(P 03 570 B US)

Date: September 23, 2004

RECEIVED

OCT 04 2004

OFFICE OF PETITIONS

**REQUEST THAT ERRONEOUS ESTABLISHMENT OF STATUS AS A
SMALL ENTITY BE EXCUSED PURSUANT TO 37 C.F.R. § 1.28(c)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

10/01/2004 DALLEN 00000002 10756093

01 FC:1461

385.00 OP

Sir:

Pursuant to 37 C.F.R. § 1.28(c), Applicants assert that its prior establishment of small entity status and payment of small entity fees was made in good faith; however, Applicants have recently discovered that such status as a small entity was established in error. Applicants hereby notify the Office that it is not entitled to status as a small entity.

In accordance with 37 C.F.R. § 1.28 (c)(ii), Applicants have itemized the fees erroneously paid as a small entity and the deficiency owed as set forth below.

Applicant: Jacob et al.
Application No.: 10/756,093

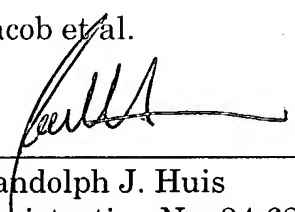
<u>Fees Erroneously Paid As A Small Entity</u>	<u>Fee Actually Paid As A Small Entity</u>	<u>Current Large Entity Fee</u>	<u>Deficiency Owed</u>
Filing fee paid on January 13, 2004	\$385.00	\$770.00	\$385.00
Total Deficiency Owed			\$385.00

Applicants have enclosed a payment in the amount of \$380.00 for the deficiency owed.

Respectfully submitted,

Jacob et al.

By



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RJH/dmm